

In the Court of Appeals of the State of Alaska

Robert Earl Potts,
Appellant,

v.

State of Alaska,
Appellee.

Court of Appeals No. **A-12608**

Order

Date of Order: **12/31/2019**

Trial Court Case No. **3AN-15-01280CR**

Before Allard, Chief Judge, and Wollenberg and Harbison, Judges

Ms. Cole filed an opening brief that included several statements that were not supported by the record and then took no action to correct the misstatements after the State noted them in its responsive brief. As a result, this Court ordered her to show cause why a fine of \$50.00 should not be imposed under Appellate Rule 510(c).

Ms. Cole filed her response to the order to show cause on November 27, 2019. After reviewing Ms. Cole's response to the order to show cause, the Court concludes that a suspended sanction will be imposed in this case.

The Court commends Ms. Cole for the candor and the completeness of her response. We note that Ms. Cole has taken steps to ensure that she does not repeat her mistakes in the future. Nevertheless, the fact remains that she misrepresented the facts in this appeal and also provided representation in an appeal without having the legal knowledge reasonably necessary for the representation.¹

Accordingly, IT IS ORDERED:

Ms. Cole shall be sanctioned in this case in the amount of \$50.00 with \$50.00

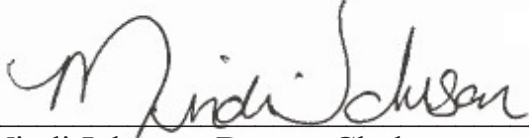
¹ See Alaska Rule of Professional Conduct 1.1.

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suspended for a period of twelve months. The suspension is conditioned on Ms. Cole not making further misrepresentations to this Court and not having any further violations of court rules.

Entered at the direction of the Court.

Clerk of the Appellate Courts


Mindi Johnson, Deputy Clerk

cc: Court of Appeals Judges
James Stinson
Brooke Berens

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Mail:
Cole, Alycia
Beach, Ruthanne